

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**UNITED STATES OF AMERICA**

**vs.**

**CASE NO. 3:98CR00013-08 (HL)**

**RICARDO VELEZ-ARENAS**

\*\*\*\*\*

**MOTION REQUESTING MODIFICATION  
OF THE SUPERVISION CONDITIONS**

**TO THE HONORABLE HECTOR M. LAFFITTE  
UNITED STATES DISTRICT JUDGE  
DISTRICT OF PUERTO RICO**

**COMES NOW, ABNER VALCARCEL-MATOS, U.S. PROBATION OFFICER of this Court,** presenting an official report on the conduct and attitude of the offender, Ricardo Velez-Arenas, who on March 16, 2000, was sentenced to sixty (60) months of imprisonment after he pled guilty of violating Title 21, U.S. Code, § 846. A four (4) year supervised release term and a special monetary assessment in the amount of \$100.00 were also imposed. On September 18, 2002, Mr. Velez-Arenas was released from custody to commence his supervised release term.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AS FOLLOWS:**

Since his release from custody, the offender has violated the following condition of his supervised release term:

**1. STANDARD CONDITION NO. 7 - "THE DEFENDANT SHALL REFRAIN FROM EXCESSIVE USE OF ALCOHOL AND SHALL NOT PURCHASE, POSSESS, USE, DISTRIBUTE, OR ADMINISTER ANY NARCOTIC OR OTHER CONTROLLED SUBSTANCE, OR ANY PARAPHERNALIA RELATED TO SUCH SUBSTANCES, EXCEPT AS PRESCRIBED BY A PHYSICIAN."**

The offender has engaged in substance abuse treatment given his sporadic use of illegal substances. On February 2, 2005, a case conference was held with his counselor and it was

informed that Mr. Velez-Arenas was depressed and and vulnerable to future relapses. As such, he recommended that the offender also participate in a mental health program for evaluation and/or treatment.

The offender agreed to have the conditions of his supervision modified to require that he participate in a mental health program for evaluation and/or treatment. As such, he voluntarily signed Probation Form 49 - Waiver of Hearing to Modify Conditions of Probation/Supervised Release.

**WHEREFORE**, I declare under penalty and perjury that the foregoing is true and correct. It is respectfully requested that, unless ruled otherwise by the Court, that the offender's conditions be modified as noted on the attached waiver.

In San Juan, Puerto Rico, this 31<sup>st</sup> day of March 2005.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF  
U.S. PROBATION OFFICER

s/Abner Valcarcel  
Abner Valcárcel  
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**CERTIFICATE OF SERVICE**

I HEREBY certify that on March 31 , 2005, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Rose M. Vega, Assistant U.S. Attorney and Francisco Dolz-Sanchez, Esq.

In San Juan, Puerto Rico, this 31<sup>st</sup> day of March 2005.

s/Abner Valcarcel  
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